



US Army Corps  
of Engineers  
Portland District

# PUBLIC NOTICE

## for PERMIT APPLICATION

Issue Date: July 25, 2003

Expiration Date: August 25, 2003

Corps of Engineers Action ID: 000009701

**30 Day Notice**

Oregon Division of State Lands Number: 6222

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

**Comments:** Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers  
ATTN: CENWP-OP-GP (Mr. John L Ferrise)  
P.O. Box 2946  
Portland, Oregon 97208-2946

**Applicant:** Valley Landfills, Inc.  
28972 Coffin Butte Road  
Corvallis, Oregon 97330

**Location:** In wetlands adjacent to Soap Creek, within Sections 13/18, Township 10, Ranges 5/4 West, near Corvallis, Benton County, Oregon.

**Project Description:** The applicant has requested an after-the-fact Department of the Army (DA) permit authorizing the permanent filling of approximately 12.72 acres of wetlands and waters since 1970 in conjunction with the construction of a landfill. Also, the applicant proposes to permanently fill an additional 3.59 acres of palustrine emergent and scrub-shrub wetlands to enlarge the existing landfill.

If a permit is issued, the Corps will determine what is appropriate and practicable compensatory mitigation. The amount of compensatory mitigation required shall be commensurate with the anticipated impacts of the project. In the event the Corps determines compensatory mitigation is appropriate, the applicant has proposed to restore 13.64 acres of wetlands and enhance 8.49 acres of wetlands, which is equivalent to 16.47 acres of compensatory mitigation credits.

The Corps has coordinated with EPA, the portion of project that was not authorized by a DA permit (12.72 acres of impacts to wetlands and waters). EPA has agreed that processing of an

after-the-fact application to potentially authorize the unpermitted portion of the project would be justified. The Corps will make the final decision on whether to issue a DA permit authorizing the unpermitted portion of the project as well as the proposed portion of the project.

**Purpose:** Provide landfill services for the City of Corvallis and surrounding areas.

**Drawings:** Nine drawings identified as Valley Landfills, Inc., COE File No. 000009701.

**Additional Information:** Additional information may be obtained from Mr. John L Ferrise, Project Manager, U.S. Army Corps of Engineers at (503) 808-4391.

**Authority:** This permit will be issued or denied under the following:

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

**Water Quality Certification:** A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

**Section 404(b)(1) Evaluation:** The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

**Public Hearing:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

**Endangered Species:** Preliminary determinations indicate that the described activity will not affect endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). Formal consultation under Section 7 of the Act is not required for the described activity.

**Endangered Species:** Preliminary determinations indicate that the proposed activity may affect an endangered or threatened species or its critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) will be initiated. A permit for the proposed activity will not be issued until the consultation process is completed.

**Cultural Resources:** The described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. This notice has been provided to the State Historic Preservation Office.

**Evaluation:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest.

That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**Additional Requirements:** State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority, previously indicated, may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

POLK COUNTY  
BENTON COUNTY

MONMOUTH,  
11 MILES



LOCATION MAP

ROBISON ROAD

99W

MANAGEMENT AREA

CAMP ADAIR ROAD

E. E. WILSON GAME

COE File No. 000009701

COFFIN BUTTE TOKETIE  
MARSH

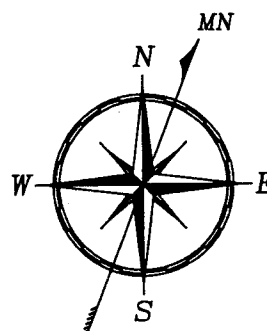
STUDY AREA  
BOUNDARY

PAUL DUNN FOREST  
(OREGON STATE UNIV.)

MCDONALD STATE FOREST

ADAIR  
VILLAGE

CORVALLIS  
7 MILES



0 1/2 1  
SCALE IN MILES

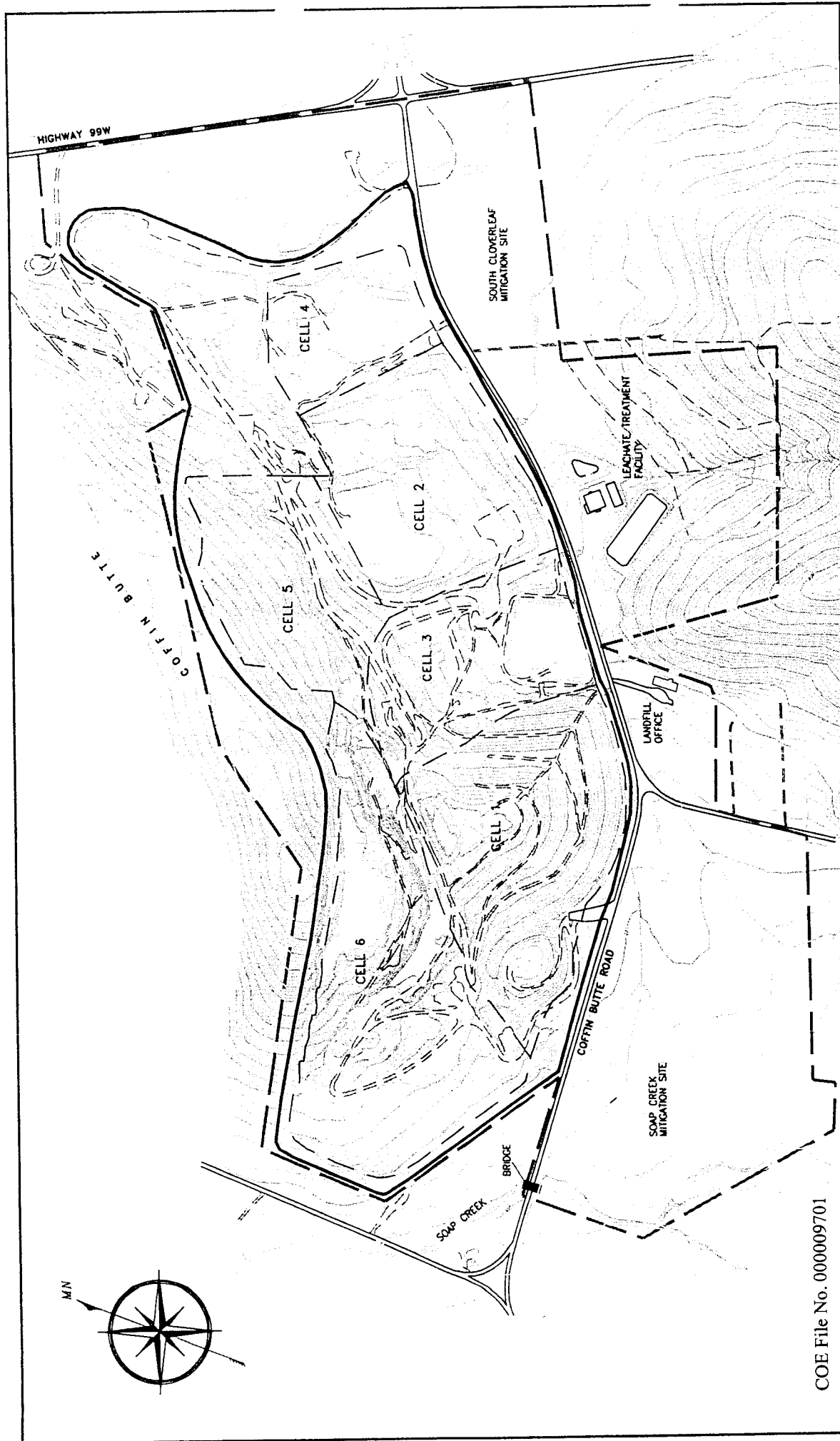
FIGURE NO.  
**1**  
PROJECT NO.  
03185.03

NOTES:

\ - Coffin Butte Landfill (03185.03)\CAD\  
Mitigation Plan\Figure 1.dwg  
4/7/03

Valley Landfills, Inc.  
Coffin Butte Landfill

Project Vicinity Map



COE File No. 000009701

# LEGEND

- Study Area Boundary
- Operating Area
- Cell Boundaries
- Local Waterways
- Paved Roads
- Other Roads
- Topography (5 Foot Intervals)

Valley Landfills, Inc.

Figure 2. Topography Of The Project Site

K:/P74054/2000 Rosemap/2000 Topography

Beak Consultants, Inc.  
7/6/01

beak

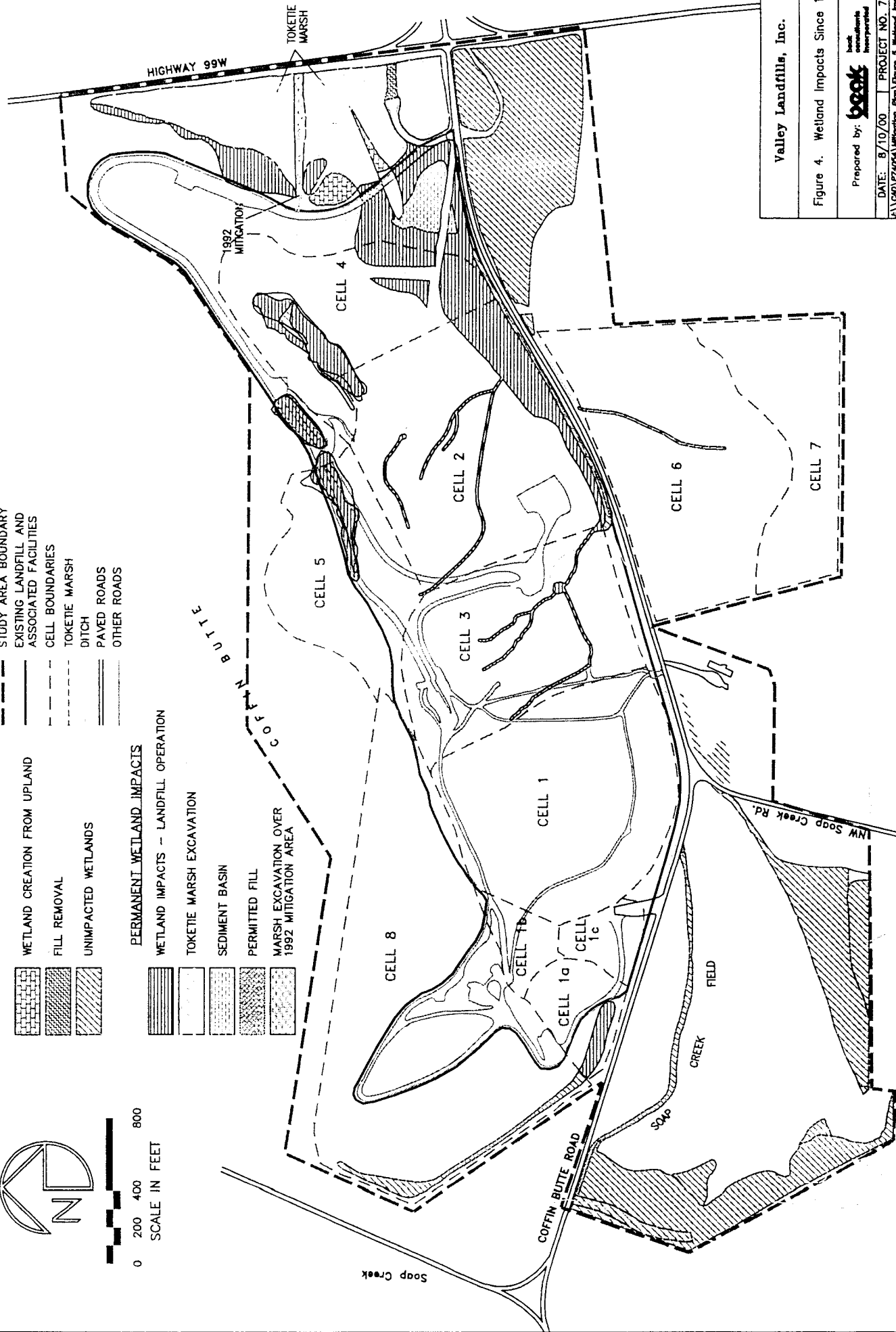


0 200 400 800  
SCALE IN FEET

# LEGEND

- STUDY AREA BOUNDARY
- EXISTING LANDFILL AND ASSOCIATED FACILITIES
- CELL BOUNDARIES
- TOKETIE MARSH
- DITCH
- PAVED ROADS
- OTHER ROADS

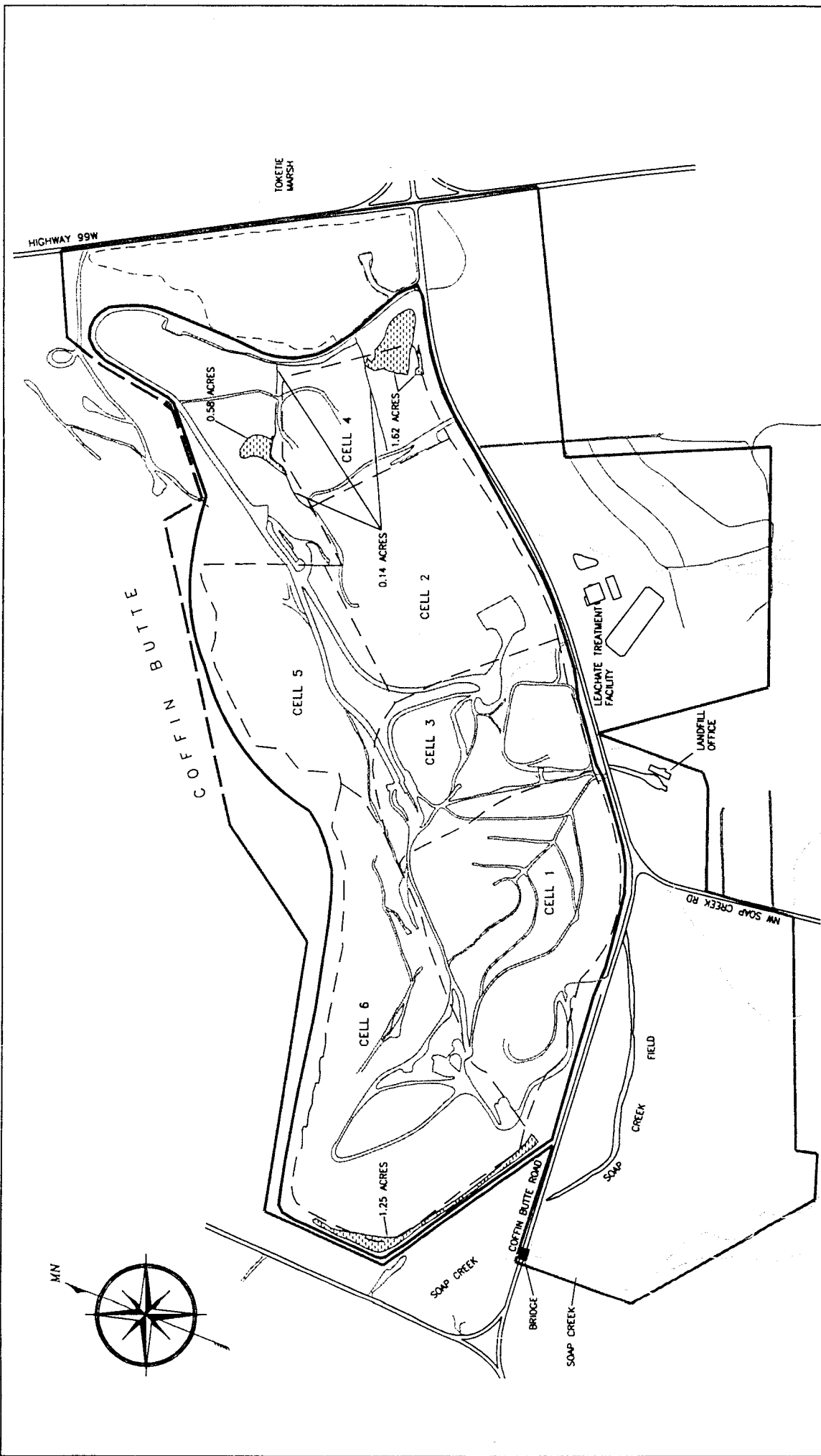
- [Pattern] WETLAND CREATION FROM UPLAND
- [Pattern] FILL REMOVAL
- [Pattern] UNIMPACTED WETLANDS
- PERMANENT WETLAND IMPACTS**
- [Pattern] WETLAND IMPACTS -- LANDFILL OPERATION
- [Pattern] TOKETIE MARSH EXCAVATION
- [Pattern] SEDIMENT BASIN
- [Pattern] PERMITTED FILL
- [Pattern] MARSH EXCAVATION OVER 1992 MITIGATION AREA



Valley Landfills, Inc.

Figure 4. Wetland Impacts Since 1977

Prepared by: **book**  
book consultants incorporated  
 DATE: 8/10/00 PROJECT NO. 74054  
 J:\C40\74054\Mitigation Plan\Figure 4 Wetland Impacts.dwg

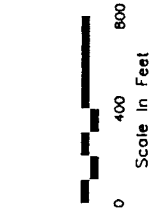


Valley Landfills, Inc.

Figure 4. Proposed Wetland Impacts

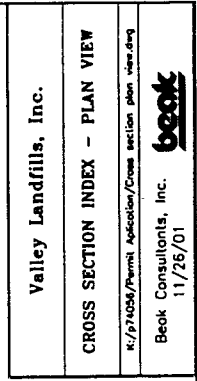
K/P/24006/Permit Application/Fig. 3.1, and 3.2

Beek Consultants, Inc. 7/6/01



- LEGEND**
- Proposed Wetland Impacts
  - Toketie Marsh
  - Study Area Boundary
  - Operation Area
  - Cell Boundaries
  - Local Waterways
  - Paved Roads
  - Other Roads

COE File No. 000009701



COE File No. 000009701



A



A

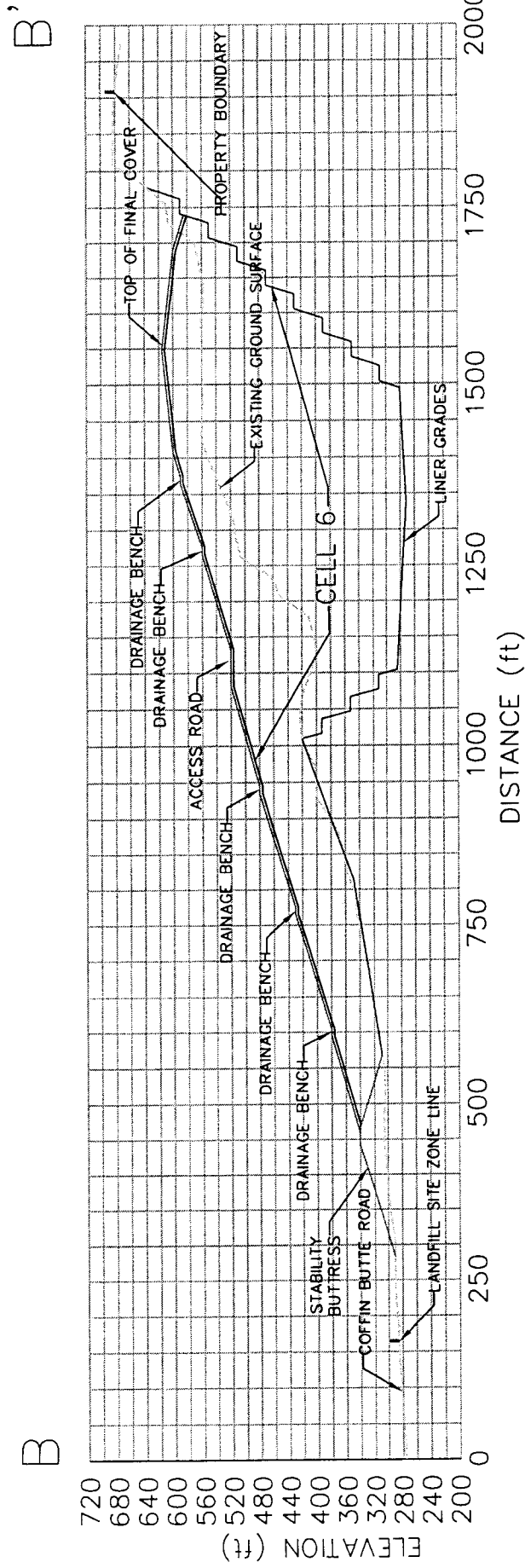


A

## A



# SECTION B



GRAPHIC SCALE

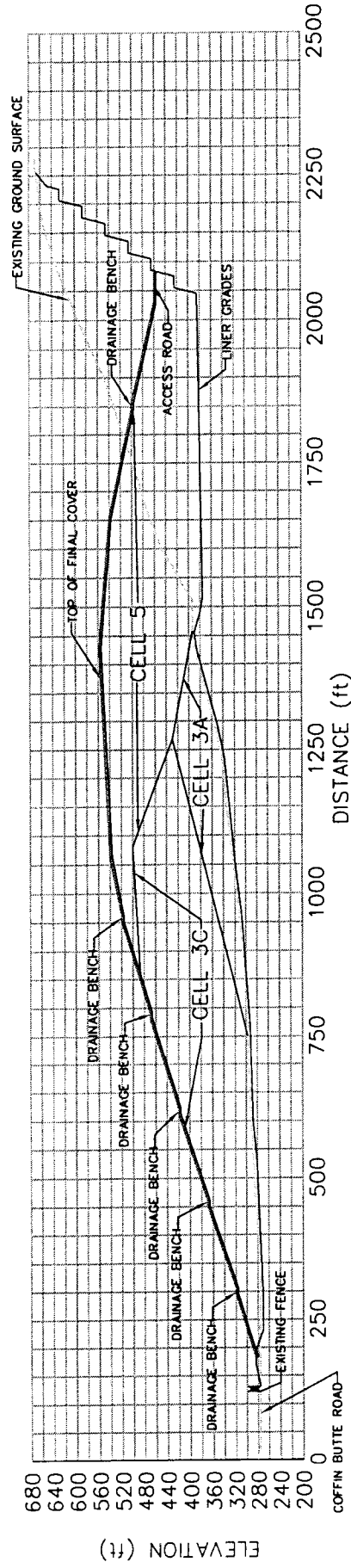


( IN FEET )  
1" = 70'

# SECTION C

C

C'



## GRAPHIC SCALE



( IN FEET )  
1" = 90'

COE File No. 000009701

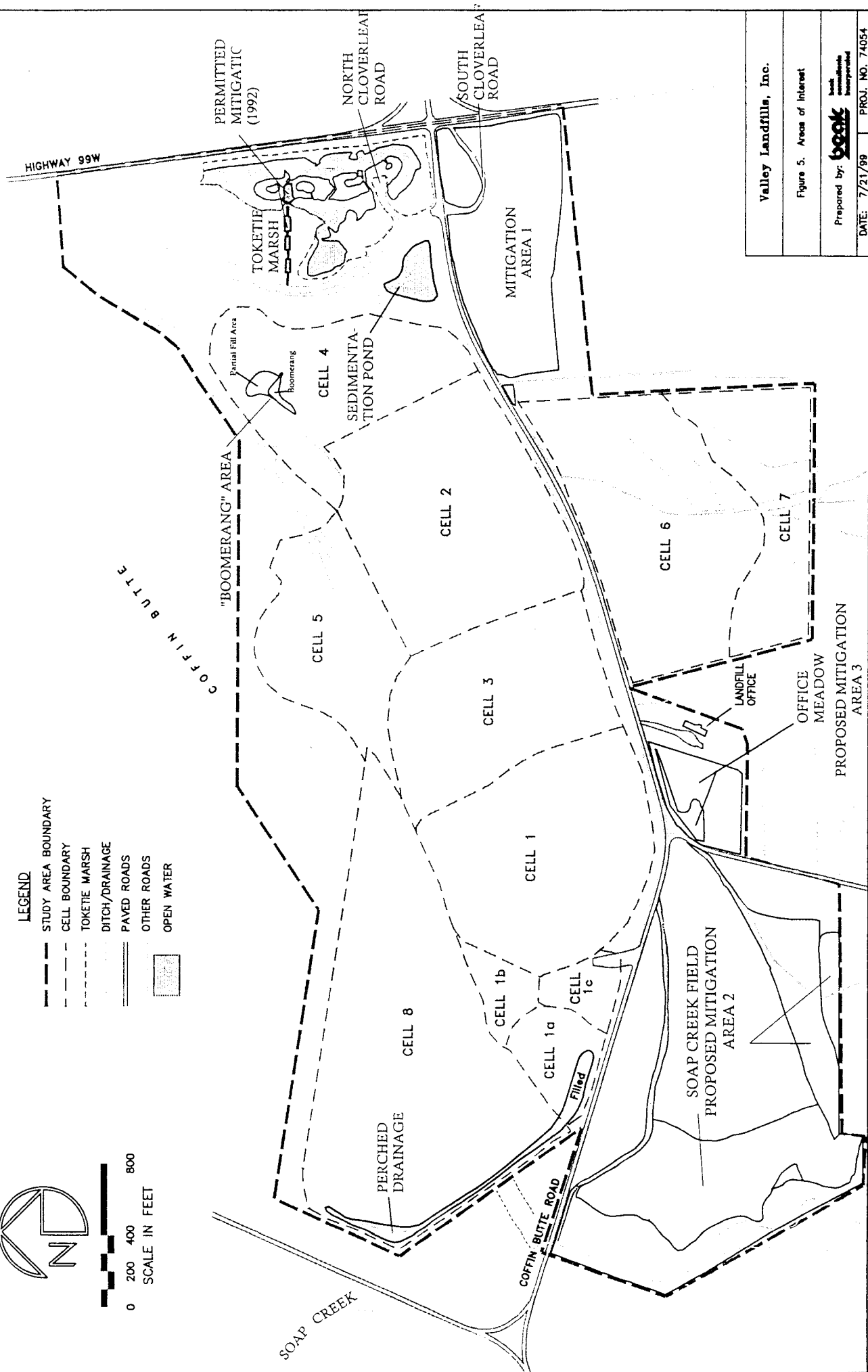
VALLEY LANDFILL, INC.  
COFFIN BUTTE LANDFILL  
BENTON COUNTY, OREGON  
SITE DEVELOPMENT PLAN  
LANDFILL SECTIONS C



0 200 400 800  
SCALE IN FEET

**LEGEND**

- STUDY AREA BOUNDARY
- CELL BOUNDARY
- - - TOKETIE MARSH
- - - DITCH/DRAINAGE
- == PAVED ROADS
- == OTHER ROADS
- OPEN WATER



Valley Landfills, Inc.

Figure 5. Areas of Interest

Prepared by: **bock**

DATE: 7/21/99 PROJ. NO. 74054

\\0601774054\AREAS OF INTEREST.dwg

**PUBLIC NOTICE**  
**Oregon Department of Environmental Quality**  
**Water Quality 401 Certification**

Corps of Engineers Action ID Number: 000009701  
Oregon Division of State Lands Number: 24688

Notice Issued: July 25, 2003  
Written Comments Due: August 25, 2003

**WHO IS THE APPLICANT:** Valley Landfills, Inc.

**LOCATION OF CERTIFICATION ACTIVITY:** See attached U.S. Army Corps of Engineers public notice

**WHAT IS PROPOSED:** See attached U.S. Army Corps of Engineers public notice on the proposed project  
**NEED FOR CERTIFICATION:** Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

**DESCRIPTION OF DISCHARGES:** See attached U.S. Army Corps of Engineers public notice on the proposed project

**WHERE TO FIND DOCUMENTS:** Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Water Quality Division, 811 S.W. 6th Avenue, Portland, Oregon 97204

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Alice Kavajecz at (503) 229-6962.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator, (503) 229-5845 or toll free within Oregon at 1-800-452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

**PUBLIC PARTICIPATION:**

**Public Hearing:** Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person, or group of persons to request or petition for a public hearing with respect to certification applications. If the Director determines that new information may be produced thereby, a public hearing will be held prior to the Director's final determination. Instances of doubt shall be resolved in favor of holding the hearing. There shall be public notice of such a hearing."

**Written comments:**

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on (full date). Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. 6th Avenue, Portland, Oregon 97204. *People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.* People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format. Otherwise, due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

**WHAT HAPPENS NEXT:** DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

**ACCESSIBILITY INFORMATION:** This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.